

# Eligibility and Allocation Policy

REVISION NO. 1.0

ISSUED XX/XX/2023

Our vision is that **Aboriginal Victorians secure appropriate, affordable housing as a pathway to better lives and stronger communities**. We believe that achievement of our vision is through the provision of housing services which enhance the dignity of our clients and renters and which respects and celebrates their cultural beliefs, values and practices.

Our policies and procedures are designed so that our practice and service delivery is in accord with this cultural statement.

## 1 Policy Objectives

This policy outlines Aboriginal Housing Victoria's (AHV) approach to the assessment and management of:

- applicants' eligibility for AHV's long-term rental housing programs; and
- the prioritisation and allocation of vacant properties in AHV's rental housing portfolio

AHV aims to provide appropriate, affordable and secure housing assistance for low-income Aboriginal people living in Victoria.

AHV aims to optimise the use of the rental properties that it owns. AHV targets its housing services to those in greatest need. Wherever possible, the housing requirements of households are matched with the type/size and location of properties available for offer.

## 2 Scope

This policy applies to all long-term rental properties owned or managed by AHV. This policy does not apply to transitional housing properties. The policy does not apply in the case of a temporary absence. In those circumstances see the Absence from Property Policy.

This policy applies to all AHV workers and directors, renters, eligible housing applicants and renters, and where the sole renter is deceased, the legal representative or next of kin.

## 3 Eligibility for housing

To be eligible for social housing, applicants must meet the eligibility criteria.

### 3.1 Victorian Housing Register

AHV is a participating registered agency in the Victorian Housing Register (VHR) and applicants seeking long term housing with AHV must meet the VHR eligibility criteria.

Applicants can find out more information on VHR eligibility criteria at [www.housing.vic.gov.au/social-housing-eligibility#eligibility-criteria](http://www.housing.vic.gov.au/social-housing-eligibility#eligibility-criteria).

The VHR is managed by the Department of Families, Fairness and Housing (DFFH), on behalf of all social housing participating agencies, and provides a single point of entry to social housing in Victoria. AHV staff consult the [Eligibility Criteria Operational Guidelines](#) for details on applying the criteria.

Renters can make applications for transfer directly to the VHR as per process outlined on the Housing Vic website however should the renter require support or a letter to support eligibility, the relevant worker may support them to lodge a transfer request utilising the VHR application form in eBusiness. As a participating registered agency AHV is eligible to have applications for transfer approved without the renter needing to meet all eligibility criteria or without DFFH approval.

### 3.2 Additional AHV eligibility requirements

In addition to VHR requirements, AHV applies the following additional eligibility requirements:

- confirmation of Aboriginality for at least one permanent household member
- any outstanding charges with AHV are paid,
- during the previous 12 months, the applicant(s) and/or household member(s) were not evicted as a renter of an AHV property for non-arrears tenancy breaches, and
- minimum age requirements

Circumstances outside of the above will need approval from the Manager Community Housing or Director Aboriginal Housing Services.

#### 3.2.1 Confirmation of Aboriginality

As AHV is an Aboriginal Community Controlled Organisation, delivering services to Aboriginal people, evidence of Aboriginality for at least one household member must be provided prior to an offer of an AHV property.

Aboriginal identity can be confirmed in a few ways. These may include:

- provision of a Certificate of Aboriginality from a recognised Aboriginal community organisation (which includes a document that has a Common Seal); or
- some other form of documentation that satisfies AHV that the applicant/household member is an Aboriginal person.

AHV will provide applicants with information on services that may be able to assist them confirm Aboriginality, including the Aboriginal Advancement League, local Aboriginal cooperatives, and the Koorie Family History Service (Koorie Heritage Trust).

### 3.2.2 Applicant debt to AHV

AHV will not enter into a new Residential Rental Agreement with an applicant until any outstanding AHV charges are paid.

Outstanding charges include both Tenant Responsibility Maintenance Compensation and rental arrears. Outstanding charges must be paid before AHV will enter into a new Residential Rental Agreement with an applicant or existing renter.

Any requests for payment plans, outside of the circumstances below, must be approved by the Manager Community Housing prior to the offer of accommodation proceeding.

#### **Family violence / physical danger**

The exception to the requirement to pay outstanding charges prior to entering into a Residential Rental Agreement is when the applicant/s are experiencing family violence, and/or are in physical danger or indicate other exceptional circumstances that would put the applicant at risk by not receiving the housing outcome. In these circumstances, a repayment agreement will be negotiated at the time of application rather than requiring payment in full and in advance and approved by the relevant senior staff member within the Housing Services team.

The payment agreement must be in place prior to an offer of housing being made, and a new Residential Rental Agreement commencing.

#### **Bankruptcy**

When a person is declared bankrupt, any outstanding charges up to the date they were declared bankrupt are not recoverable by AHV and will not be required to be repaid prior to signing a further rental agreement.

However, any outstanding charges accrued after that date must be paid in full prior to the commencement of a new rental agreement. Refer to the Arrears Policy for further information.

#### **The Statute of Limitations**

AHV requires household members who were former AHV renters to pay all outstanding charges in full, or their portion of the outstanding charge, prior to being re-housed. This is the policy even where AHV is unable to actively pursue statute barred debts in a court or tribunal.

### 3.2.3 Tenancy breaches affecting eligibility

AHV does not offer housing for a period of twelve months from the date a previous tenancy was terminated, where:

- AHV obtained an Order for Possession for a non-arrears tenancy breach, such as serious nuisance or illegal use of premises; or
- AHV issued an Immediate Notice to Vacate for dangerous behaviour or malicious damage under s243 or 244 of the Residential Tenancies Act 1997 (RTA), and either an Order of Possession was granted or the case was not heard at the Victorian Civil and Administrative Tribunal (VCAT) as the renter vacated prior to the hearing date.

This policy applies to all household members listed on the application. The exception to this being when the applicant/s are experiencing family violence, and/or are in physical danger or indicate other exceptional circumstances that would put the applicant at risk by not receiving the housing outcome.

### 3.2.4 Minimum age requirements

Generally, applicants for AHV rental housing must be 18 years and over. Offers of housing to applicants 17 years of age and under may only be approved by the Director of Aboriginal Housing Services or delegate.

Offers of housing to applicants aged less than 15 years may be approved by the Director of Aboriginal Housing Services where the applicant's Child Protection worker provides written advice that no other housing arrangements are in place; and the applicant receives an independent income.

For applicants 17 years or younger, the applicant's guardian is required to sign the residential rental agreement with the applicant/s, or on behalf of the applicant/s.

### 3.2.5 Carers

Carers who live with the applicant on a permanent basis and are eligible for AHV housing are included on the application. Carers who live with the applicant on a permanent basis but are ineligible for housing are also included on the application.

Following allocation of an AHV property, ineligible carers will only be able to be household members and cannot be given tenancy status. If the applicant leaves the property, the carer/resident will also be required to leave.

Rostered attendant carers are not included as residents on the application. AHV offers an extra bedroom to applicants who require full time live-in care.

## 4 Allocation

AHV will allocate properties to eligible applicants through matching the needs of the applicant and the characteristics of the properties.

### 4.1 Number of bedrooms

AHV allocates properties in accordance to the approved number of bedrooms on the applicant/s VHR and with consideration of the VHR operational guideline, *Clients with Special Accommodation Requirements*.

It is important to note that AHV has only a limited number of one-bedroom properties and properties of four or more bedrooms. As such in areas where AHV may have no stock suitable to the approved amount but does have properties with more or less bedrooms, AHV will discuss this with the prospective renter during the allocation process, e.g. a single person may be allocated a two bedroom should they be in greatest need and no one bedrooms properties exist in the area.

### 4.2 Offer of Housing

When a property becomes available, applicants on the VHR are contacted and reviewed to determine their suitability and to ensure the needs of the applicant and the particulars of the property.

Applicants who meet these criteria are provided to an allocations panel (being comprised of the housing officer that manages the tenancy, and other relevant staff) who will make the final decision on which applicant/s will be given an offer of accommodation.

Urgent renter transfers where the AHV property is uninhabitable due to fire, flood, etc, are offered the next available suitable property. These renters are given the opportunity to return to the original property, upon completion of repair works.

Where there are no applications on the VHR, or the property has been offered several times and is deemed to be “hard to let”, the next applicant for smaller accommodation in that location (i.e. approved for fewer bedrooms) may be offered the vacant property, or an out of turn offer may be made to a household who may be suitable for the property.

Offers of Housing are managed in accordance to the VHR operational guideline, Offer of Housing.

### 4.3 Centrepay and separately metered properties

As part of signing the residential rental agreement with AHV applicants receiving Centrelink payments are encouraged to utilise automatic deduction of their rent payments via *Centrepay*. Applicants are advised that they can withdraw from the scheme at any time after their tenancy has commenced.

Renters who do not receive a Centrelink income or are not eligible to make payments via Centrepay are offered alternate methods to make their rental payments.

This policy applies to new applicants and renters transferring to another AHV property.

The *Water Industry Act 1994* gives water utility companies the power to bill a rental property provider of any separately metered rental property, where a renter fails to establish or disconnect their water service.

All new renters who are allocated separately metered properties must sign the *Release of Information to Water Authorities* Form, giving AHV their consent to release the renter's name, address, date of birth, previous and forwarding addresses to water authorities.

## 4.4 Pets

Applicant/s with pets must seek approval from AHV at allocation and must comply with local government by-laws. AHV will assess pets according to the local government by-laws and in alignment with the RTA.

Some AHV housing properties are subject to owners' corporation rules and regulations and as such renters must comply with any owners' corporation rules concerning the ownership of pets.

# 5 Relevant Documents

## 5.1 Policies and procedures

### Related policies, procedures

Arrears Policy and Procedure

Renter and Tenancy Transfer Policy

Sustaining Tenancies Policy

## 5.2 Legislation

### Legislation, Standards, Guidelines

Charter of Human Rights Act 2006 (Victoria)

Housing Act 1983 (Victoria)

Performance standards for registered housing agencies 2015 (Victoria Housing Registrar)

Registered Agency Agreement between AHV and the Director of Housing relating to participation in the VHR

Residential Tenancies Act 1997 (Victoria)

Victorian Housing Register Operational Guidelines (Victoria, Department of Families Fairness and Housing)

## Document control

Revision	Date
Policy name:	
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Adoption Authorised	
Supersedes:	
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Responsible Service/Department	

## Document history

Revision	Approval date	Approved by	Changes	Review date
1	2008			2012
2	July 2012	AHV Board		2015
3	June 2015		Updated policy template	
4	September 2015	AHV Board	Consolidation and standard format of Tenancy Services Manual	2016
5	November 2017	AHV Board	Consistency with VHR guidelines	2019
6	December 2018	AHV Board	Transition to VHR	2019
7	April 2022	AHV Board	Consistency with terminology: AHV organisational changes and revised RTA terminology	2025
8			Housing Policy Refresh	